IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

Bail Appl..No. 7630 of 2007(R)

[CR.NO.44/2007 OF KOZHIKODE EXCISE RANGE]

: PETITIONER/2ND ACCUSED

RAYEES, AGED 28 YEARS,
S/O MOIDU, ROROTH PARAMBIL,
AZHIYOOR, VADAKARA.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7630 of 2007

Dated this the 12th day of December 2007

O R D E R

Application for regular bail. The petitioner, along with the co-accused faces allegations under the Kerala Abkari Act. They were allegedly found to be in possession of 30 x 750 ml of I.M.F.L on 24/11/2007. He continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor. The co-accused was granted regular bail as per order dated 11/12/2007.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to identical conditions as were imposed on the co-accused as per order dated 11/12/2007 in B.A.No.7610/2007.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 19/12/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007